

Members

Rep. William Crawford, Chairperson
Rep. Mary Kay Budak
Sen. Teresa Lubbers
Sen. Rose Antich
Ellen Clippinger
Cheryl A. Seelig
Sven Schumacher
Kimberly Tracy Armstrong
Donald Amos
Nathan Samuel
Marsha Hearn-Lindsey
Barb Schuck
Carol Johnson
Sharon Pierce
James Hmurovich
Mara Snyder
Johnnie Underwood



BOARD FOR THE COORDINATION OF CHILD CARE REGULATION

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Authority: IC 12-17.2-3.1

MEETING MINUTES¹

Meeting Date: October 18, 1999
Meeting Time: 10:30 A.M.
Meeting Place: State House, 200 W. Washington
St., Room 233
Meeting City: Indianapolis, Indiana
Meeting Number: 5

Members Present: Rep. William Crawford, Chairperson; Rep. Mary Kay Budak; Sen. Teresa Lubbers; Sen. Rose Antich; Ellen Clippinger; Sven Schumacher; Donald Amos; Nathan Samuel; Marsha Hearn-Lindsey; Barb Schuck; Carol Johnson; James Hmurovich; Mara Snyder; Johnnie Underwood.

Members Absent: Cheryl A. Seelig; Kimberly Tracy Armstrong; Sharon Pierce.

I. Call to Order

Representative Crawford, Chairperson, called the meeting to order at approximately 10:40 a.m. Representative Crawford discussed the voting process for the final report and specified that there must be at least 9 affirmative votes for a finding or recommendation to

¹ Exhibits and other materials referenced in these minutes can be inspected and copied in the Legislative Information Center in Room 230 of the State House in Indianapolis, Indiana. Requests for copies may be mailed to the Legislative Information Center, Legislative Services Agency, 200 West Washington Street, Indianapolis, IN 46204-2789. A fee of \$0.15 per page and mailing costs will be charged for copies. These minutes are also available on the Internet at the General Assembly homepage. The URL address of the General Assembly homepage is <http://www.ai.org/legislative/>. No fee is charged for viewing, downloading, or printing minutes from the Internet.

pass. Representative Budak suggested that the Board not consider recommendations and findings that were not discussed at a prior meeting. Representative Crawford stated that all the recommendations and findings in the draft final report would be discussed at this meeting.

II. Discussion of the Draft Final Report

Representative Crawford asked the LSA staff attorney to explain what information each section of the draft final report contained. The LSA staff attorney explained that Section I contains the list of topics that the Board is to study. Section II contains information about why the Board was reestablished. Section III summarizes the topics discussed at each Board meeting. Section IV summarizes the testimony given at each Board meeting and is broken down into the following topics: child care funding and availability; minimum standard requirements; after school day care programs; and special needs foster care training requirements. Section V contains the Board's findings and recommendations.

Senator Lubbers commented to the Board that the findings and recommendations section of the draft final report is an extremely aggressive list of recommendations. She stressed that someone must carry this legislation and that the Board members, when considering the recommendations, should consider the opposition to these recommendations as well. She said that, at most, the General Assembly will probably look at one or two child care bills this session. Representative Budak added that each Representative has a limit on the number of bills he or she can introduce in a short session.

Recommendation # 1. The Board recommends there be a bill introduced to require that CCDF vouchers be given only to licensed child care providers. The only exception to the licensing requirement would be for kinship care. In the case of kinship care, however, the child care provider must be a blood relative of the person placing the child in the provider's care.

Representative Budak submitted this recommendation and stated that the purpose was to focus on the need for increased child safety. She said that she would withdraw the recommendation because recommendation # 15, submitted by FSSA, dealt with these issues.

Vote: Consent to Withdraw (Unanimous).

Recommendation # 2. The Board recommends there be a bill introduced to request that the Title XX (SSBG) contract be extended, with additional dollars for quality licensed child care for low income families.

Ms. Johnson stated that this recommendation had been submitted by a child care provider. She suggested that there be an administrative effort to continue the Title XX system. Mr. Hmurovich stated that FSSA could look into this issue and work with the federal liaison. Senator Lubbers said that she would not be willing to take this issue to the General Assembly at this time because there was not enough Board discussion or information given to the Board about this issue. Other members of the Board stated that since numerous recommendations were made regarding Title XX, something should be done by the Board in response to concerns elicited by Board members. After considerable discussion, Board members voted on the following language:

The Board endorses maintaining a contract system for child care and endorses administrative action to encourage Congress to maintain flexibility in moving funding to the Social Services Block Grant.

Vote: Do Pass, As Amended, 14-0.

Recommendation # 3. The Board recommends there be a bill introduced to require that a staff member at a licensed child care facility be required to meet all educational requirements and not receive a waiver for the educational requirements. The bill would allow a staff member to be exempt from this requirement and receive a waiver only if that staff member was in their current position when the original regulations went into effect. Any other staff member would have one year to comply with this requirement.

Ms. Johnson said that she submitted this recommendation but did not feel it was necessary to have a bill. She suggested that there be an administrative change that would result in the enforcement of licensing requirements. Mr. Hmurovich told Ms. Johnson that the system already complies with this recommendation. Ms. Johnson withdrew the recommendation.

Vote: Consent to Withdraw (Unanimous).

Recommendation # 4. The Board recommends there be a bill introduced to require any provider receiving CCDF vouchers to be licensed. If any provider is exempt from licensure then the provider must meet minimum standard requirements recommended by FSSA. In addition to FSSA's standards, the child/staff ratio should be the same as that for a licensed child care facility and the minimum age for a provider should be eighteen years. A system for monitoring minimum standard requirements by voucher agents or licensing agents must be included.

Ms. Johnson said that she assumed the Board would pass the recommendation that child care providers who accept child care vouchers will be required to meet minimum standards (recommendation #15) and she withdrew recommendation # 4.

Vote: Consent to Withdraw (Unanimous).

Recommendation # 5. The Board recommends there be a bill introduced to adopt school age child care minimum licensing standards. (The proposed standards are available from the Legislative Information Center as Exhibit # 1).

Ms. Snyder commented that point 1 under "Building Approval" on the YMCA's proposed minimum licensing standards (see Exhibit # 1) raises issues that do not exist. She stressed that there are not different rules for school age child care programs in schools because the use of the school for such a program is not deemed to be a child care use. She said that before and after school child care by definition complies with existing building codes. Ms. Clippinger stated that the Department of Education requires schools to comply with certain standards and that there are optional standards suggested by the Indiana Association for School Age Child Care. She suggested not making a recommendation on this issue because the Board needs to work with the Department of Education. Senator Lubbers noted that the Board clearly has an interest in this topic. Representative Crawford stated that this issue is critical because school age child care programs need to be monitored. The Board voted on the following language:

The Board finds that the licensure and regulation of school age child care programs needs further study.

Vote: Do Pass, As Amended, Consent (Unanimous).

Recommendation # 6. The Board recommends there be a bill introduced that would establish a multiple funding system that would include contracts, vouchers, and purchase of service agreements to meet the needs of families and children.

The Board agreed that this issue had already been discussed and the recommendation was withdrawn.

Vote: Consent to Withdraw (Unanimous).

Recommendation # 7. The Board recommends there be a bill introduced to maintain and expand the SSBG contract system to support licensed, quality programs serving low income families.

The Board agreed that this issue had already been discussed and the recommendation was withdrawn.

Vote: Consent to Withdraw (Unanimous).

Recommendation # 8. The Board recommends there be a bill introduced that would address the issue of child care in any plans for second phase of welfare to work (for those coming off assistance but still receiving low wages).

Senator Lubbers stressed the importance of this issue and suggested that the Board monitor this as an ongoing concern in the future. The Board voted on the following language:

The Board finds that it is necessary to continue to address the issue of child care in any plans for the second phase of welfare to work (for those coming off assistance but still receiving low wages).

Vote: Do Pass, As Amended, Consent (Unanimous).

Recommendation # 9. The Board recommends there be a bill introduced to appropriate \$8 million from the \$2 billion state surplus to the SSBG direct contract system to assist the working poor in meeting their child care needs.

The Board agreed that this issue had already been discussed and the recommendation was withdrawn.

Vote: Consent to Withdraw (Unanimous).

Recommendation # 10. The Board recommends there be a bill introduced to develop a registration system for all child development programs. The system would provide for:

- (1) Different levels of registration with criteria for each level such that the lowest level of registration would require that a program meet the basic health and safety standards proposed by FSSA, Bureau of Child Development, and the highest level would stipulate that a program meet the accreditation requirements of the agency or professional group offering the accreditation.
- (2) The reimbursement of vouchers based on a program's level of registration.
- (3) The utilization of professional groups to develop the various levels of registration.
- (4) The utilization of professional groups to collect registrations and pertinent data that would then be submitted to the Bureau of Child Development.
- (5) The development of a peer review board, representative of child development programs, to evaluate the system annually, to review grievances filed by child development programs, and to submit a written report to the Board for the Coordination of Child Care Regulations.
- (6) A request that a line item be placed in the budget for the administration of this registration system.

Ms. Clippinger stated that she submitted this recommendation because of the need for a registration system for child care programs. Representative Crawford suggested that LSA staff look into this issue to find out what other states are doing with regard to the registration of child care programs. He also suggested that the issue be considered at a later date. Ms. Clippinger withdrew the recommendation.

Vote: Consent to Withdraw (Unanimous).

Recommendation # 11. The Board recommends there be a bill introduced that would request that the state allocate its own resources to raise the sliding fee scale to 185% of poverty to support families on vouchers through CCDF funds.

Ms. Clippinger stated that she submitted this recommendation so the Board would recognize that Title XX funding covers up to 185% of poverty but the state level of funding covers only up to 143% of poverty. Ms. Clippinger suggested that there be funding available outside of Title XX for persons who fall between 143% and 185% of poverty. Ms. Clippinger withdrew the recommendation.

Vote: Consent to Withdraw (Unanimous).

Recommendation # 12. The Board recommends there be a bill introduced that would support the continuation of Title XX contracts by supplementing federal dollars with state dollars.

The Board agreed that this issue had already been discussed and the recommendation was withdrawn.

Vote: Consent to Withdraw (Unanimous).

Recommendation # 13. The Board recommends there be a bill introduced to request that FSSA amend 470 IAC 3-2-6 (personnel qualifications for child-placing agencies) to recognize degrees other than a master's degree in social work for a supervisor position.

Mr. Samuel said that he submitted this recommendation but suggested that there be an administrative change rather than a bill. He said that the only degree accepted for a supervisor position under this IAC section is a social work degree. The Board voted on the following language:

The Board finds that FSSA should amend 470 IAC 3-2-6 to recognize degrees other than a master's degree in social work for a supervisor position.

Vote: Do Pass, As Amended, Consent (Unanimous).

Recommendation # 14. The Board recommends there be a bill introduced to require all contracts entered into under IC 20-5-2-1.2 to be in writing.

Representative Crawford stressed the need for contracts entered into between a school corporation and a child care provider to be in writing.

Vote: Do Pass, 13-0.

Recommendation # 15. The Board recommends there be a bill introduced to require that all child care providers who accept child care voucher reimbursement meet minimum standards. FSSA's proposed standards are available from the Legislative Information Center as Exhibit # 2.

After considerable discussion, the Board agreed to accept proposed standards 1 through 8 with technical changes, but did not agree to accept proposed standard 9. The Board voted on the following language:

The Board supports the state using administrative means to require that all child care providers who accept child care voucher reimbursement meet the following minimum standards:

1. Have working smoke detectors that meet the same requirements as for licensed child care homes in Indiana (470 IAC 3-1.1-46(l)).
2. Have an annual intradermal TB test and provide the result to the voucher agent. All adult residents in the provider's home who are 18 years of age or older must also have an annual intradermal TB test and result.
3. Have a written emergency plan for notifying parents regarding:
 - a. Illness, serious injury, or death of a provider;
 - b. A back-up plan for care in an emergency; and
 - c. A plan for emergency evacuation that is available in a conspicuous location.
4. Maintain current certification in infant/child CPR and first aid training.
5. Have one working telephone in each child care home or site.
6. Have monthly, documented fire drills in each child care home or site in accordance with Article 13 of the Indiana Fire Code.
7. Provide for a safe environment.
 - a. Firearms and ammunition will be locked up in an area away from the children in care.
 - b. Poisons, chemicals, bleach, cleaning materials will be stored on high shelves away from children's reach or locked up.
8. Consent to and pay for their own limited criminal history check and a limited criminal history check for all residents of the provider's home or child care site who are 18 years of age and older and any child under the age of 18 who has been waived from juvenile to adult court. All providers must report any police investigations, arrests or convictions of specified crimes regarding themselves or other residents in the home or child care site within five calendar days to the voucher agent.

As part of this recommendation, the Board for the Coordination of Child Care Regulations supports the state using administrative means to prohibit individuals convicted of a felony from receiving child care vouchers as a provider and supports the ability of counties to add standards to any required minimum standards.

Vote: Do Pass, As Amended, 12-0.

After the vote on recommendation number 15 was taken, Representative Crawford noted that two other recommendations had been received after the draft final report was completed and that those two issues would be discussed at a future meeting of the Board.

A vote was taken on the entire final report and the final report was passed by a vote of 12-0.

III. Adjournment

The meeting adjourned at approximately 1:30 p.m.